

Written Testimony of Carl Hasty, Tahoe Regional Planning Agency Deputy Director, to the Little Hoover Commission.

## **“Tahoe’s Governance Experience in the Protection and Restoration of the Lake”**

### The Need for Statutory Authority Designating Lead Agency

Fundamental to the protection and restoration of the Lake Tahoe Basin has been the establishment of an authority to establish goals and lead the effort to attain them. This authority was memorialized in law by the two states of California and Nevada, and the federal government first in 1969 and then revised in 1980. This compact created a single entity to establish “environmental carrying capacity thresholds”, to create a plan to accomplish them, to provide for “orderly growth”, and to lead the cooperative effort to protect and restore Lake Tahoe. The Tahoe Regional Planning Agency (TRPA) was created and designated to lead the cooperative effort for the protection and restoration of watershed region of Lake Tahoe, which includes portions of two states, five counties, and one municipality inclusively.

After the revision of 1980 the first order of business was to establish the “threshold” goals which were adopted by TRPA’s Governing Board in 1982. TRPA’s Board is comprised of fifteen members (seven from California, seven from Nevada, and one Presidential Appointee, which is non-voting). A regional land use plan was adopted to provide for orderly growth and implement threshold goals. Other elements addressing additional management strategies were adopted as part of the regional plan “package”. Among them included a regional transportation plan, a water quality management plan, and an environmental improvement plan. In addition a science program has been utilized and developed to inform the decision making process.

Such legislated authority also needs to make clear the responsibility of cooperating agencies to constructively engage with the designated lead. Such direction establishes the basis of a working charter with the multiple agency organizations that typically have a role in the management of large geographic regions. Once the legal sideboards of authority and relationship are established the real work of crafting and implementing solutions can begin. It is in this arena that the greatest amount of effort and persuasion must be exerted and maintained.

### Authority is Fundamental but not Enough

Statutory authority and plans documenting policy direction and desired outcomes are only a starting point. Real effectiveness lies in achieving the understanding of desired goals by affected parties and the cooperation that can be achieved to implement them rather than resist them. This is the primary implementation job of a lead organization. Understanding its “partners”, their needs, ambitions, drivers, and culture are critical to gaining cooperative participation in a long-term implementation or management program.

This tack is especially important because the operating systems of each organization are different and the differences quickly become obstacles to achieving solutions. For example organizations are going to have different budget processes and requirements, they have different performance reward systems, they’ll have different concepts and language that is pertinent to their mission. Achieving broad or focused management

objectives in a region will require the understanding and willingness of cooperators to stretch beyond the bounds of their systems. They will need to understand and be willing to act in concert as if they are part of a larger organization rather than limited to their own organization. A lead organization must cultivate that type of working relationship and understanding. Statutory authority brings folks to the table. Exercising persuasive leadership that seeks to relate to partners and invite them into a true collaborative effort is how the job gets done.

A second critical arena for success is in regard to the public. Public in this context is an inclusive term. It means the organized public like a non-government organization to the unorganized public, such as a single property owner or farmer. Communication and education of the public is critical to success. This is a daunting challenge for public agencies because they are typically not funded to perform this function adequately. Achieving the “buy-in” of the public is usually left to organized public input sessions about plans and policy. This approach has limited affect yet satisfies a process need of attempting to inform public and be informed by the public. It is easier for agencies to spend time with each other to achieve understanding than it is between agencies and the public.

### Lessons Learned

So where is TRPA in pursuing its lead role authority for the restoration and protection of Lake Tahoe? In a sentence it has established its statutory authority and plans, it is becoming accomplished in exercising persuasive leadership in a collaborative effort, and it continues to struggle to enhance the capacity to get the message and broad understanding of the public.

TRPA's statutory authority continues to be successful at bringing people to the table on Tahoe issues and forging directions. Over the last ten years with the advent of the Environmental Improvement Program (EIP) TRPA stepped out of the traditional regulatory role and began to help partnering agencies and organizations get the resources and support they needed to make build desired physical improvements. Creating a focused plan and document that captured the variety of needed capital and science improvements achieved gaining the desired political and funding support for a complex ecological and political solution. Since then the region has sustained private sector, local, state, and federal government sector participation and momentum. TRPA has learned to engage its partners and listen to them. TRPA leadership and staff spend tremendous time in building and maintaining working relationships and understanding. TRPA has learned to play its role and respect the role of others. To show for this effort has been an allocated commitment of the requested \$908 million dollars and the construction of over 200 major environmental improvements to date with more to come.

Where TRPA and the consortium of agencies continue to strive to improve is in educating the public and creating awareness. Given the number of stakeholders in and out of the basin the magnitude of task is tremendous for the meager budgets that exist. And the classical agency approach to seeking input is not enough. What is needed is the ability to take a market approach both in messaging and in regularity of message. TRPA has reviewed other models that take watershed approaches such as the Chesapeake Bay. The capacity to perform this function in other areas is through a non-government organization typically a non-profit. The Lake would benefit from such an organizational addition to the institutional structure. It is believed that it would save

agencies valuable time now spent on redirecting the outcome due to misinformation and negative perception.

### Conclusion

In summation the Lake Tahoe experience can offer this lesson to the Commission for the Cal-Fed effort. First a statutory authority designating a lead organization and instructing others to cooperate is fundamental to setting a course in complex ecological and jurisdictional environments. Second leadership by that organization that believes in collaboration and seeks solutions using the strengths and interests of others is absolutely necessary given the discrete roles and complex institutional arrangement that exists for large landscape solutions. And third cultivating and supporting non-agency institutions for the role of general public education and outreach, which can leave agencies to what they do best, work with other agencies and organized constituencies is important.

The outcome is greater political and funding support, and more on the ground solutions.